

REMARKS

Claims 1-2 are pending in the application. Favorable reconsideration of the application is respectfully requested.

I. REJECTION OF CLAIMS 1 AND 2 UNDER 35 USC §102(b)

Claims 1 and 2 remain rejected under 35 USC §102(b) based on *Sakurai*. Applicants again must respectfully traverse the rejection.

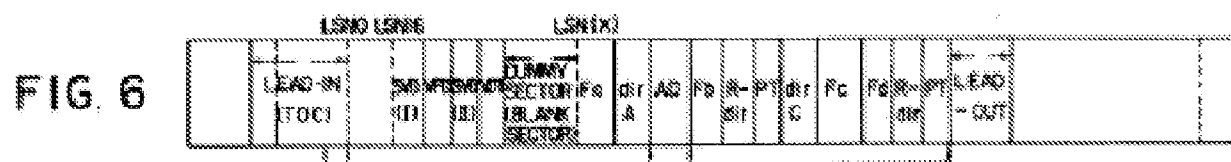
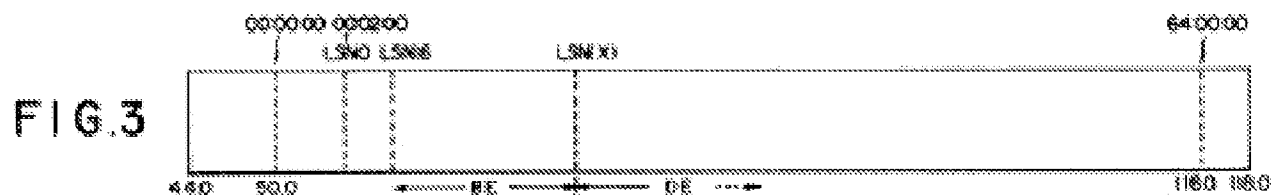
Applicants previously argued how *Sakurai* does not teach or suggest recording in a management information area the physical sector number of the sector to which the logical sector number "0" is assigned as recited in claims 1 and 2. Applicants previously pointed out how *Sakurai* teaches that the host computer 4 serves to write the information on the optical disk 1 so that a logical sector number LSN is set to have a header of a physical address "timecode" 00:02:00 sector. However, applicants noted that this certainly does not constitute recording in a management information area the physical sector number of the sector to which the logical sector number "0" is assigned. (See, e.g., Col. 3, Ins. 34-45).

Beginning on page 3 of the Office Action, the Examiner disputes applicants' argument that "*Sakurai* does not teach or suggest recording in a management information area the physical sector number of the sector to which the logical sector number "0" is assigned". The Examiner argues that the rejection is proper "*because the TOC is a management area and in this area there is inherently physical address locations of all the logical sector numbers*". (Emphasis Added).

The Examiner apparently takes the position that the table of contents (TOC) in *Sakurai* includes the physical address locations of *all* the logical sector numbers; therefore the TOC *inherently* includes the physical sector number of the sector to which the logical sector number "0" is assigned. Applicants again must respectfully disagree,

as applicants respectfully submit that *Sakurai* does not expressly *or* inherently teach or suggest that upon which the Examiner relies.

Specifically, applicants respectfully assert that the TOC in *Sakurai* does not inherently include the physical address locations of all the logical sector numbers as argued by the Examiner. Nor, more particularly, does *Sakurai* teach expressly or inherently the TOC including the physical sector number of the sector to which the logical sector number "0" is assigned as recited in claims 1 and 2. Rather, *Sakurai* merely teaches that the TOC includes the border positions of each piece of information of the recording information area and a position of the lead-out section. (See, e.g., Col. 5, lines 19-27). In other words, the TOC is more of a directory for the information stored on the information recording medium. The TOC does not inherently include recording therein the physical sector number of the sector to which the logical sector number "0" is assigned as in the present invention, as such information is not necessary to providing a directory, or "Table of Contents" of the information stored in the information recording medium.



Figs. 3 and 6 of Sakurai

In order to facilitate a better understanding of applicants' position, a clear understanding of the operation of *Sakurai* is helpful. *Sakurai* teaches an information recording medium in which a logical sector number zero (LSN0) is set to have a header of a physical address (time code) 00:02:00 sector. (See, e.g., Fig. 3 reproduced above). The physical addresses LSN0 to LSN15 are empty areas for system-reserving areas. LSN16 to LSN(X-1) are volume disk group areas, that is, secured as a management information area BE. The LSN(X) position is defined several times predetermined by dividing the optical disk for recording the information on the divided sectors. The physical addresses after LSN(X) are reserved as a recording information area DE. (Col. 3, Ins. 42-53).

Sakurai teaches that information is written in the areas as shown in Figs. 4B, 5B and 6. A lead-in section is written before the physical address (time code) 00:00:00 and a lead-out section is written after the recording information area. Additionally, on the TOC located within the lead-in section, all of the time code representing, respectively, a border position of each piece of information **of the recording**

information area DE and a position of the lead-out section is written. (Col. 5, Ins. 9-32).

The Examiner's attention is directed to Figs. 3 and 6 of *Sakurai*, reproduced above, where it is clear that the physical sector to which a logical sector number "0" (LSN0) is **not** included in the recording information area DE. Further, it is clear that the logical sector number "0" is not assigned to the lead-out section. Consequently, it is clear that *Sakurai* and its teachings that "on the TOC located within the lead-in section, all of the time code representing, respectively, a border position of each piece of information **of the recording information area DE** and a position of the lead-out section is written", is **not** teaching that the TOC includes information on the physical sector number of the sector to which LSN0 is assigned as recited in claims 1 and 2. There is simply no teaching or suggestion in *Sakurai* that the TOC includes such information.

As shown in Figs. 3, 4B, 5B and 6 of *Sakurai*, the logical sector number "0" (LSN0) is assigned to the physical address (time code) of 00:02:00. Further, *Sakurai* clearly discloses that the TOC contains all of the time codes representing, respectively, a border position of each piece of information **of the recording area DE**. (Col. 5, Ins. 22-27). Therefore, since LSN0 is assigned to the physical address (time code) of 00:02:00, which is **NOT** located in the recording information area DE, the TOC does **not** include an area for recording a physical sector number of a sector to which LSN0 is assigned. More specifically, TOC does **not** contain physical sector number 00:02:00 (of which LSN0 is assigned) because the physical sector number 00:02:00 does **not** represent a border position of a piece of information of the recording information area DE, either inherently or otherwise.

Further, *Sakurai* clearly discloses that, "physical addresses LSN0 to LSN15 are **empty areas**". (Col. 3, In. 46). Therefore, since *Sakurai* discloses that TOC contains all of the time code representing, respectively, a border position of each piece of information of the recording information area DE, TOC does not contain the physical address of the sector of which LSN0 is assigned because LSN0 is an **empty area**.

Consequently, the Examiner's assertion that "the TOC is a management area and in this area there is inherently physical address locations of all the logical sector numbers" is expressly contrary to and unsupported by the teachings of *Sakurai*. If the Examiner insists on maintaining the rejection, applicants respectfully request that the Examiner provide clear rebuttal to the specific points raised above, else the rejection is improper and must be withdrawn.

II. REMINDER REGARDING IDS

Applicants wish to remind the Examiner of the clean copy of the PTO-1449 form submitted with applicants' previous response. Applicants respectfully request that the Examiner provide an initialed copy indicating all of the references having been considered so as to appear on the face of any resultant patent.

III. CONCLUSION

Accordingly, claims 1 and 2 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Application No.: 10/783,173

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino

Registration No. 34,243

DATE: June 14, 2006

The Keith Building
1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113
yamap668jamendmentafterfinal.wpd